



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/033,905

01/03/2002

Akira Karasudani

1614.1207

9594

21171

7590

06/08/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

AL HASHEMI, SANA A

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY

Office Action Summary

Application No.

10/033,905

Applicant(s)

KARASUDANI ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status: 1-10 rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Elko et al. (US Patent No. 5,537,574).

1. Regarding Claims 1, and 6, Elko discloses a file device that records a file to storage means divided among a plurality of blocks, comprising:

block allocation means for allocating blocks to record the file in the storage means (see Fig. 1, CPC-1, CPC-M, column 5, lines 43-47, Elko);

management information production means for producing management information designating blocks allocated by the block allocation means (see Fig. 1, DASD Director, column 5, lines 48-53, Elko); and

storage control means for recording the files in the storage means after recording the management information produced by the management information production means in the storage means (see Fig. 1, 101, column 5, lines 61-65, Elko).

2. Regarding Claims 2, and 7, Elko discloses a file device, wherein the storage control means attaches information indicating a preceding block and information indicating a size of data to be recorded in a block to the data recorded in the block and records to the storage means (see column 16, lines 40-48, Elko).

3. Regarding Claims 3, and 8, Elko discloses a file device, wherein the storage control means updates the management information so that, when a data-unrecorded block occurs among the blocks allocated by the block allocation means when recording the file, the unrecorded block becomes an unused block (see column 17, lines 2-8, Elko¹).

4. Regarding Claims 4, and 9, Elko discloses a file device, wherein the storage control means has storage sequence setting means for setting a storage sequence of data that makes up the file, the data that makes up the file being allocated among blocks to be recorded by the block allocation means based on the sequence set by the storage sequence setting means and recorded to the allocated blocks (see Fig. 32, 3201, column 51, lines 14-19, Elko).

5. Regarding Claims 5, and 10, Elko discloses a file device, having file readout means, such that when information indicating the preceding block does not indicate the preceding block as a result of the block being accessed in sequence depending on the management information, the file being read out, and data being read out from the block, or when information indicating the size of the data recorded in the block is outside the actual block size range, the file readout means halts readout of the file and updates the management information so that subsequent

¹ The process of submitting the "cache miss" which indicates the data does not reside in the cache reads on unrecorded block which indicates the block "unused".

Art Unit: 2171

blocks become unused blocks (see column 51, lines 20-38, Elko²).

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
June 3, 2004



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

² The step of setting the field to 0 since the page can not be located corresponds to unused block, since the block is stored with no data.